

09-fp 45

2-12-09

U.S. DISTRICT COURT
DISTRICT OF N.H.

To: United States District Court

2009 FEB 18 A 11:08

I AM CURRENTLY RESIDING IN THE "HILLSBOROUGH COUNTY DEPARTMENT OF CORRECTION AND I AM CURRENTLY GOING THROUGH SOME ROUGH TIMES WITH THE ADMINISTRATION AT THIS FACILITY. THE MOST RECENT SITUATION I WOULD LIKE TO FILE A COMPLAINT ON AND HAVE IT DOCUMENTED TO THE COURT AS A OFFICIAL COMPLAINT OF A "THREAT TO VIOLATE ~~MY~~ MY RIGHTS" SO WHEN INDEED THE VIOLATION IS DONE I MAY BE ABLE TO IMMEDIATELY FILE A LAWSUIT. ON THE MORNING OF 2-11-09 IN THE LAW LIBRARY I WAS REMOVED FROM THE LAW LIBRARY BY "NANCY DAVINE" WHO OVERSEES THE LAW LIBRARY, SHE ALSO POSES AS A "PARALEGAL", LAW LIBRARY CLERK BUT HER OFFICIAL TITLE IS G.E.D TEACHER (ENCLOSED IS PROOF OF HER OFFICIAL TITLE) (SHE IS NOT A CERTIFIED PARALEGAL NOR DOES SHE HAVE THE CREDENTIALS OR KNOWLEDGE TO BE A PARALEGAL) FOR TRYING TO OBTAIN A COPY OF A NOTARIZED LETTER TO THE SUPERINTENDENT "JAMES OMARA", BEFORE BEING REMOVED FROM THE LAW LIBRARY "NANCY DAVINE" STATED YOU WILL NOT BE RETURNING TO THE LAW LIBRARY AGAIN BECAUSE I WILL NOT BE PLACING YOUR NAME ON THE LAW LIBRARY SHEET, I ~~THE~~ THEN STATED "THAT'S A VIOLATION OF MY 14 (XIV) AMENDMENT UNDER THE UNITED STATES CONSTITUTION, SHE THEN STATED I DON'T CARE YOU CAN WRITE WHOEVER YOU WANT TO WRITE. PLEASE NOTE THAT I ALREADY HAVE A GRIEVANCE (# 09-00771) WHICH IS BEING REVIEWED AGAINST "NANCY DAVINE"

so I feel this is a Retaliation and harassment against me, so I filled a "Request form" requesting a Grievance form (That same morning) and never got the Grievance, that ~~next~~ night of 2-11-09 I filled out another Request ~~form~~ form requesting a Grievance form and I never got it, 2-12-09 in the morning I filled out another Request form requesting a Grievance, ~~and~~ and also I filled out a Request form requesting to speak with a Sergeant, About twenty minutes later two Sergeants by the name of Sgt. Williams and Sgt. Jordan came to speak to me, I explained my situation to them and told them I would like a Grievance form, Sgt Williams stated "I ~~will~~ will get the Grievance form to you, (I never received it. On second shift that evening I turned in another Request form asking for a Grievance form and why I did not get the one Sgt. Williams stated he would get to me, I made a duplicate of the Request form (enclosed) and had it signed by the same officer who signed ~~the~~ the original, I still have not received the Grievance. It is a routine in this facility where you Request a Grievance and you never get a Reply, I ~~so~~ recently sent a complaint to the Superintendent of the facility "James "M" Omara" letting him know that his ~~the~~ designated person to ~~give~~ issue Grievance's (Sergeants) is not performing their job accordingly, (Enclosed is letter to Superintendent) Also informing him that I have ^{been} blatantly and deliberately denied ~~a~~ a Grievance on numerous occasions, I would

like to file A suit ON the grounds that the way we HAVE to go ABOUT obtaining A Grievance is insufficient to the fact that we ARE deprived whenever they feel like AND its nothing we CAN do ABOUT it, Grievance forms should be AVAILble when ever you need them OR A Grievance should be Able to be WRITTEN ON A BLANK ~~piece~~ piece of paper AS its done in New York PRISON System, for the same fact that PRISON/AIL officials CAN give you Grievance forms whenever they feel. Also there is NO way for us to Keep ~~no~~ Records of our letters to lawyers, letters to Judges, letters of complaint to PRISON/AIL official, higher RANKS (SERGEANT, CAPTAIN, lieutenant, Deputy, Superintendent) we CAN NOT prove we ~~ever~~ ever sent A complaint because we ARE only Allowed to make copies of motions, so therefore CARBON paper should be sold on ~~the~~ commissary AND also should be ISSUED at the law library, Myself I AM having very much difficulties with trying to Keep my Records because I'm ~~be~~ deprived of making copies of legal materials. ON A separte sheet of paper I will be ASKING if its possible ~~to~~ that the Following things that I state CAN you send ~~and~~ me the laws AND policies ON them.

Witnesses to law library Incident
 Jefferey oneil 24762
 MAYNOR Lopez 40764
 William Russell 43041

Thank you!
 Sincerely
 Jerome Mayston

2-13-09

This A supplement to the letter enclosed.

The law library has books that only goes up to A certain number. (such as "New Hampshire Reporter") (only goes up to 150) When the issue is questioned, its stated that we must use the Lexis system on the computers that they provide. But please note that we ARE allowed copies of "cases" enclosed in the "New Hampshire Reporter", But when using the Lexis system on one of the computers that's provided we ARE NOT allowed to print NO "cases" AT ALL, we ~~ARE~~ ARE NOT allowed NO printing AT ALL, but there is A printer ~~located~~ in the LAW library but its not connected. When law library ~~clerk~~ clerk was asked why ARE we not allowed to print cases off the computer, she stated "Its what the Administration said. Please note CAPTAIN "SCURRY" is in charge of the operation of the law library. I also Requested in a letter to ~~cap~~ Assistant Superintende "Dion" MAY I be able to obtain AND Reveiw the Law Book which governs the LAWS, ~~and~~ guidelines AND procedure policies of this facility such AS (GRIEVANCE procedure, Disciplinary procedure hearings, medical, standard operation of this Department) Ect... Well CAPTAIN "SCURRY" was sent to speak with me AND he informed that there is no policy ON GRIEVANCE procedure. AND If I wish to obtain ANV other

policies then I would have to pay 25¢ per copy, I then stated that if you read my letter to Asst. Superintendent "Dion" correctly then you would realize that I said obtain AND review in the law library NOT purchase, he then stated I will get back to you. When Captain "Scurry" did get back to me he insisted that I pay (\$9.20 for 37 pages), he persued me more than twice to pay for the policies which I have a right to under the Freedom of information Act 5, U.S.C sec 552. I do have a letter signed by Captain "Scurry" stating that I need to pay for these materials that I requested. Captain "Scurry" has also violated Federal law 18 U.S.C.A sec 1001.(1) Falsifying or concealing material fact by trick, scheme or device, By stating on Grievance form #09-00777 that the law library was close on 1-28-09 ~~been~~ due to a holiday when there is no holiday on 1-28-09 this Grievance is also signed by Asst. Superintendent "Dion" who had a opportunity to correct ~~the~~ Captain "Scurry's" decision but instead under superintendents action he wrote "None Required". These are the additional issues that are at hand.

Thank You!

Sincerely

Jerome Moyleton

P.S. My mail has been tampered with so there is no gurantee I will receive your response or you will even receive my letter.

1. The General law/Rules for the law library.
2. How MANY hours ARE we entitled to in the law library per week for detainees.
3. Law that there should be a certified PARalegal in the law library.
4. The General law AND policy for the Grievance procedure.
5. The Address for the Commissioner.
6. F.O.I, Freedom of Information Act, 5 U.S.C SEC 552
7. The appeal process for the Grievance program.
8. The laws AND Rules for Solitary Confinement.
9. As a detainee do you have the right to law library Access in Solitary Confinement, if "yes" please state the law on this, If "no" please state the law on this.

HILLSBOROUGH COUNTY DEPARTMENT OF CORRECTIONS INMATE REQUEST FORM

16196

It is the policy of Hillsborough County Department of Corrections to answer inmate requests in the timeliest manner possible. The Unit Officer will attempt to answer any and all requests that are presented to them. If they are unable to assist you they are responsible to direct your request to the appropriate staff member.

GENERAL INFORMATION: PLEASE PRINT

HOUSING UNIT: 2C

DATE OF REQUEST 2 / 2 / 09

NAME:

LAST

FIRST

CCN: 24762

CELL #: 2227

STATE YOUR REQUEST:

Law Library - Need the address for Franklin Pierce Law Center, if possible please.

Thank you

2 WHITE ST Concord

SIGNATURE:



DATE 2 / 2 / 09
MONTH DAY YEAR

REVIEWING UNIT OFFICER (NAME):

Decker

22-02-2009

BADGE # 134

REQUEST SENT TO: ☐ CLASSIFICATION

☐ OPERATIONS

☐ EDUCATION

☐ PROPERTY

☐ RECORDS

☐ SERGEANT

☐ CHIEF OF SECURITY

☐ HOUSEKEEPING

☐ PROGRAMS

☐ OTHER

RECEIVED BY:

Decker

RANK

Decker

DATE

2 / 8 / 09
MONTH DAY YEAR

ANSWER TO REQUEST:

2 White St

Franklin
Low
General 10th 03301 (603) 298-1591

REPORTING STAFF MEMBER

Decker

SIGNATURE

Decker

DATE

2 / 3 / 09

~~2-8-09~~ 2-8-09

To: Superintendent "James OMARA"

I AM writing you this "letter"/GRIEVANCE, because of A SERIOUS problems that I have tried by best to resolve these problems the way your handbook states. Well on JANUARY 5, 2009 A letter containing A money order AND A letter AND pictures WAS sent to me in the MAIL. On the morning of JANUARY 9, 2009 I filled out A request form AND submitted it, ~~to~~ Requesting was there ANY ~~mail~~ MAIL being held from me in the mail room AND if so why is it being held from me. At mail call that day I received my letter/mail, enclose was A yellow contraband slip stating "BLANK money order" "Not Allowed" AND two letters, one stating that there WAS pictures enclosed in the envelope. After thoroughly inspecting the contents in the envelope I ~~then~~ noticed that there WAS NO pictures in the envelope. I then notified officer Gutierrez who instructed me to fill out A request form to the MAIL ROOM. I then filled out the request form AND submitted to the MAIL ROOM. When the MAIL ROOM replied, the reply WAS "No pictures found for you" "If we find them we will send them to you". About A week later I spoke to the sender, (April Woolford) AND

At that time I was told that the pictures was sent back to her, I was told by the sender that this was sent back by the facility because the handwriting was definitely not my handwriting, which means mail room clerk "Celtee Beurdojn" lied on a GOVERNMENT document (Hillsborough County Department of CORRECTIONS Inmate Request form) by stating "No pictures found for you". ON ~~JANUARY~~ JANUARY 24, 2009 over the phone I was informed that on JANUARY 23, 2009 the pictures was once again mailed off to me. ON JANUARY 29 AND 30, 2009 I submitted A Request form asking "was there ANY mail in the mail room for me", "if so why is it being held" "and why have I not been notified". Mail Room clerk "Celtee Beurdojn" Reply was "nothing here for you". ON FEBRUARY 5, 2009 I filled out A Request form on the second shift (3-11 p.m.), ~~Requesting~~ And submitted it to officer "HujSAK" Requesting A GRIEVANCE form, I never received A GRIEVANCE form. FRIDAY FEBRUARY 6, 2009 on the first shift (7-3 A.M.) I submitted A Request form to officer "Price" Requesting A GRIEVANCE form ONCE AGAIN for my problem with the mail, ~~once~~ ^{ONCE} AGAIN I never received it, that same morning I spoke to Sgt. Gordon and informed him that I submitted A ~~GRIEVANCE~~ Request form for A GRIEVANCE form and I have not received it, he then stated that he would look into it for me, "I never heard or got A reply from him. ON the second shift (3-11 p.m.) of FEBRUARY 6, 2009 I submitted ANOTHER Request

form to officer "Khoury" Badge Number 67, Requesting A Grievance form for my problem with the mail. Later on that evening Sgt. Giezel came on the Unit and at that time I approached him and informed him that I submitted A Request form for A Grievance form for my mail, He then stated that he did see my Request form on the desk but he is not the Sgt. for this floor so he does not know whats going on. Not too long after that Sgt. Duclos came to the Unit and I approached him and informed him that I submitted A Request form Requesting A Grievance form and that Sgt. Giezel told me that it is on the desk but he is not the Sgt. for this floor, Sgt. Duclos then stated "We will get it to you", I never received the Grievance form. On Saturday February 7, 2009 on the second shift (3-11) I submitted my fourth Request for A Grievance form to officer "Khoury" Badge Number 67, Requesting A Grievance form for problem with the ~~mail~~ mail, I wrote A duplicate of this Request form and had officer "Khoury" sign the ~~dup~~ duplicate, I still did not receive A Grievance form, enclosed is A copy of the duplicate that officer "Khoury" signed. On Sunday February 8, 2009 on the first shift at 8:09 A.M. I spoke with Sgt. Brooks and informed him ~~that~~ that I filled out four Request forms in 3 days trying to get A Grievance form, he then instructed me to fill out ANOTHER Request form and he would get me the Grievance form,

GRIEVANCE form number 09-00805 was issued by Sgt. Brooks (Enclosed is a copy of Request form to Sgt. Brooks). Also A Request form for "A Copy of All the medical Request forms that I have filled out since I been in this facility" was submitted every time I submitted for the GRIEVANCE on mail, A copy of A duplicate signed by officer "Khoury is enclosed. I never received A Response. This report basically describes to you the defect in your GRIEVANCE program/ procedure, this shows you how many times I was blatantly denied and deprived of A GRIEVANCE which I have A right to, Tampering with mail or the withholding of mail is A Federal crime and your employees under the title of Sergeants who are suppose to be supervisors and are the designated persons to issue GRIEVANCES ~~Acting~~ Acted in bad Faith by denying me A GRIEVANCE in order to cover up the wrongfull deed that was done. You "James OMARA" is the Superintendent of this facility and by LAW you are responsible for the runnings of this facility, one of your duties is to make sure we are being treated fairly and not have to go through difficulties like I am ~~currently~~ currently A victim of, those pictures are ~~are~~ very important to me, those are pictures of my stepsons Birthday party, and what has taken place is very cruel and unusual activity in your facility. I am asking you please to rectify this problem and the only solution I see is if my pictures are found and brought to me, Celler Beurdois be disciplined because ~~she~~ she has

DONE A FEDERAL CRIME AND MADE A ~~W~~FALSE STATEMENT
ON A ~~Q~~ GOVERNMENT DOCUMENT. ALSO THAT YOU ORDER
THE DESIGNATED PERSONEL TO GRANT ME A COPY OF
ALL THE MEDICAL REQUEST FORMS THAT I HAVE ~~filled~~
filled out SINCE I HAVE BEEN IN THIS FACILITY, WHICH
SHOULD BE GRANTED TO ME UNDER THE "FREEDOM OF
INFORMATION" LAW ACT (F.O.I). THIS IS MY
EXHAUSTION OF MY ADMINISTRATIVE REMEDIES, IF THIS
IS NOT HANDLED FAIRLY BY MY RIGHTS, THEN MY ONLY
OTHER STEP IS TO TAKE THIS TO THE COURT SYTEM.

THANK YOU
Sincerely

Quame Moyton

I hereby SWEAR under the pains AND the penalties of perjury that the information CONTAINED in this grievance is true to the best of my Knowledge.

Date 2/8/09

X Jerome Moyston

The Above NAMED MOYSTON, JEROME W 44334, appeared before me, the undersigned Authority, the 8TH day of FEBRUARY, 2009 AND Acknowledge the foregoing signature to be of his own true AND Free Act AND deed.

Date 02/08/09

X [Signature]
Notary/Justice of Peace

CC: Jerome Moyston



HILLSBOROUGH COUNTY DEPARTMENT OF CORRECTIONS INMATE REQUEST FORM

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• **GENERAL INFORMATION:** PLEASE PRINT

HOUSING UNIT: 2C

DATE OF REQUEST 2 / 12 / 09
MONTH DAY YEAR

NAME: Moyston Jerome CCN: 44334 CELL #: 2181
LAST FIRST

STATE YOUR REQUEST: This is my Fourth Request for A Grievance About
my Issue with the Law Library. Sgt Williams and Sgt Jordan came and
spoke with me this morning Afternoon and Sgt Williams told me he would issue
me A Grievance. I have still not gotten my Grievance form yet. And its now second
shift and I spoke with them on first shift.

SIGNATURE: Jerome Moyston DATE 2 / 12 / 09
MONTH DAY YEAR

CC: This is the duplicate: Jerome Moyston

REVIEWING UNIT OFFICER (NAME): Chang 2/12/09 BADGE # 67

REQUEST SENT TO: ☐ CLASSIFICATION ☐ OPERATIONS ☐ EDUCATION ☐ PROPERTY ☐ RECORDS ☐ SERGEANT
☐ CHIEF OF SECURITY ☐ HOUSEKEEPING ☐ PROGRAMS ☐ OTHER

RECEIVED BY: _____ RANK _____ DATE _____ / _____ / _____
MONTH DAY YEAR

ANSWER TO REQUEST: _____

REPORTING STAFF MEMBER _____ DATE _____ / _____ / _____
SIGNATURE MONTH DAY YEAR